

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32113 of 2023

Arising Out of PS. Case No.-57 Year-2021 Thana- RAUTARA District- Katihar

MD. ASHFAQUE ALAM @ MD. ASHFAQUE @ ASHFAQUE ALAM Son
of Md. Sakir Hussain @ Sakir Hussain Resident of village - Parmanand Pur,
P.S. - Rani Patra, Distt. - Purnea

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shabnam Ara D/o of Md. Murtunza Resident of village - Kumhara, P.S. -
Rautara, Distt. - Katihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava
For the Opposite Party/s : Mr. Chandra Bhushan Prasad

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 24-06-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 341, 323, 498(A) and 506/34 of the Indian Penal Code and Section 4 of the D.P. Act pending in the learned court below.

As per the prosecution case, all the accused persons in the F.I.R. is said to have abused the assaulted the informant for non-fulfillment of demand of dowry of Rs.2,00,000/-.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He further submits that the petitioner filed T.S.



No.99/2019 in the Court of learned Principal Judge, Family Court Purnea for restitution of Conjugal life which is still pending and thereafter on 26.06.2021 the present F.I.R. has been lodged by the informant with an ulterior motive. He further submits that petitioner is ready to keep his wife with full dignity and honour. He submits that petitioner has got no criminal antecedent as stated in para-3 of the bail application.

Learned APP for the State opposes for prayer for bail.

Considering the aforesaid facts and circumstances, let the petitioner, named above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Rautara P.S. Case No.57/2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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